

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 13
CHARLESE LACHELLE MALCOLM)	CASE: A17-62947-WLH
)	
)	
DEBTOR)	

CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION
AND MOTION TO DISMISS CASE

COMES NOW, Nancy J. Whaley, the Standing Chapter 13 Trustee herein, and objects to Confirmation of the plan for the following reasons:

1.

The Debtor's payments under the proposed plan are not current, thus indicating that this plan is not feasible. 11 U.S.C. Section 1325(a)(6).

2.

The Chapter 13 Petition and Schedules reflect an unsecured debt total greater than the amount allowed under 11 U.S.C. Section 109(e). The total of debt owed renders the Debtor ineligible for Chapter 13 relief.

3.

The Chapter 13 schedules fail to reflect the Debtor's child support income of \$150.00 per month, thereby preventing the contribution of all projected disposable income to this plan in possible violation of 11 U.S.C. Section 1325(b)(1)(B).

4.

Official Form 122C-1 fails to disclose all of the Debtor's gross household income, including child support income, received during the six (6) months preceding the filing of this case. 11 U.S.C. Section 101(10A).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of the Debtor's plan, and to dismiss the case.

This the 6th day of September, 2017.

Respectfully submitted,

/s/_____
Julie M. Anania
Attorney for the Chapter 13 Trustee
State Bar No. 477064

CERTIFICATE OF SERVICE

Case No: A17-62947-WLH

This is to certify that I have this day served the following with a copy of the foregoing Chapter 13 Trustee's Objection To Confirmation And Motion To Dismiss Case by depositing in the United States mail a copy of same in a properly addressed envelope with adequate postage thereon.

Debtor(s)

CHARLESE LACHELLE MALCOLM
2512 HOGAN ROAD
EAST POINT, GA 30344

By Consent of the parties, the following have received an electronic copy of the foregoing Chapter 13 Trustee's Objection To Confirmation And Motion To Dismiss Case through the Court's Electronic Case Filing system.

Debtor(s) Attorney:

THE SEMRAD LAW FIRM, LLC
rjsatlcourtdocs@gmail.com

This the 6th day of September, 2017.

/s/ _____

Julie M. Anania
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